

**PATENT APPLICATION**  
Attorney Docket No. 29926/37049A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Reissue Application of:	)	For: CMOS Image Sensor and Method
Ju-II Lee	)	for Fabricating the Same
Filed: April 9, 2004	)	Group Art: 2811
U.S. Pat. No.: 6,369,417	)	Examiner: Ngan V. Ngo
Issued: April 9, 2002	)	

**ASSIGNEE'S CONSENT TO REISSUE FILING**  
**AND OFFER TO SURRENDER ORIGINAL PATENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Hyundai Electronics Industries Co., Ltd. (hereinafter "HYUNDAI"), a  
corporation of the Republic of Korea having its principal place of business in  
Kyungki-Do, Republic of Korea, declares the following upon information and belief  
of its Senior Manager Mukand

(Corporate Position)

(Name) CHOI, Hyun-Koo

1. HYUNDAI is the assignee and owner of the entire right, title and  
interest in and to U.S. Patent No. 6,369,417 for CMOS IMAGE SENSOR AND  
METHOD FOR FABRICATING THE SAME, the assignment being recorded in the  
U.S. Patent and Trademark Office on August 16, 2001, at Reel 012109, Frame 0117.

2. HYUNDAI believes Ju-II Lee is the inventor of the invention described and claimed in U.S. Patent No. 6,369,417 as well as in the referenced accompanying reissue patent application, including the preliminary amendment filed with the reissue application.

3. HYUNDAI as assignee of the entire right, title and interest in and to U.S. Patent No. 6,369,417 consents to the filing of the referenced accompanying reissue patent application seeking the reissue of this patent.

4. HYUNDAI further offers to surrender the original U.S. Patent No. 6,369,417 upon reaching agreement with the U.S. Patent and Trademark Office as to the allowability of the referenced accompanying reissue patent application.

5. HYUNDAI further declares that all statements made herein on the knowledge of the undersigned are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the referenced accompanying reissue patent application or any reissue patent granted thereon.

Respectfully submitted,

Hyundai Electronics Industries Co., Ltd.

By:

Hyun-Koo Choi  
Name CHOI, Hyun-Koo

Senior Manager  
Corporate Position

Kyungki-Do, Republic of Korea

Dated: April 8, 2004

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	)	for Fabricating the Same
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	)	
Issued: April 9, 2002	)	

REISSUE DECLARATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

1. As the below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below after my name. I believe I am the original, first and sole inventor of the subject matter which is described and claimed in U.S. Patent No. 6,369,417 (hereinafter "the '417 patent") issued on April 9, 2002, and for which invention I now solicit a broadening reissue patent.

2. I have assigned the entire right, title and interest in and to the '417 patent to Hyundai Electronics Industries Co., Ltd. in an assignment recorded in the U.S. Patent and Trademark Office on August 16, 2001, at Reel 112109, Frame 0117 and believe that I have the right to make this declaration in accordance with 37 C.F.R. §1.172(a) inasmuch as the referenced accompanying reissue application seeks to enlarge the scope of the claims of the '417 patent.

3. The application that matured into the '417 patent was filed on August 16, 2001, and was based on Korean Application No. 2000-47813 filed on August 18, 2000.

4. I have reviewed and understand the contents of the '417 patent, including the claims, as amended by the preliminary amendment filed with the present reissue application. I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information of which I am aware and which is material to patentability as defined in 37 C.F.R. §1.56.

5. I believe the '417 patent to be partly inoperative by reason of my claiming less than I had a right to claim in the '417 patent.

6. One or more of the following errors are relied upon as the basis of the present reissue application:

a) the inclusion in claim 1 of the '417 patent the recitation "a passivation layer formed on the unit pixel area and on the metal line such that the exposed portion of the metal line is left exposed" thus unduly limiting the scope of the only independent apparatus claim;

b) the inclusion in claim 1 of the '417 patent the recitation a metal line "wherein a portion of the metal line is exposed" thus unduly limiting the scope of the only independent apparatus claim;

c) the inclusion in claim 1 of the '417 patent the recitation "a planarized photoresist formed on a portion of the passivation layer" thus unduly limiting the scope of the only independent apparatus claim; and

d) the inclusion in claim 1 of the '417 patent the recitation "an oxide layer formed on...the photoresist and the passivation layer such that the exposed portion is left exposed" thus unduly limiting the scope of the only independent apparatus claim. For at least these reasons, the claims claim less than I had a right to claim in the '417 patent.

7. One or more of the following additional errors are relied upon as the basis of the present reissue application:

a) the inclusion in claim 8 of the '417 patent the recitation "forming a passivation layer on the metal line" thus unduly limiting the scope of the only independent method claim;

b) the inclusion in claim 8 of the '417 patent the recitation "forming a planarized photoresist on a portion of the passivation layer" thus unduly limiting the scope of the only independent method claim;

c) the inclusion in claim 8 of the '417 patent the recitation forming a micro-lens "on a portion of the planarized photoresist" thus unduly limiting the scope of the only independent method claim;

c) the inclusion in claim 8 of the '417 patent the recitation forming an oxide layer on the micro-lens, "the photoresist and the passivation layer" thus unduly limiting the scope of the only independent method claim;

d) the inclusion in claim 8 of the '417 patent the recitation "forming a pad open mask and etching the oxide layer and the passivation layer to expose a portion of the metal line" thus unduly limiting the scope of the only independent method claim.

For at least these reasons, the claims claim less than I had a right to claim in the '417 patent.

8. All errors being corrected in the reissue application up to the time of filing of this declaration, including the error in claiming less than I had a right to claim, arose without any deceptive intention on my part.

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this reissue application or any reissue patent issued thereon, or any patent to which this declaration is directed.

Full Name Of First Inventor:

Ju-Il Lee

First Inventor's Signature:

Ju-il Lee

Date:

April 8th, 2004

Country of Citizenship:

Republic of Korea

Residence/Post Office Address:

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